

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

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UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

CLERK

BY

DEPUTY CLERK

MA DE LOURDES NAJERA and
JOSE MANUEL NAJERA MARTINEZ,

Plaintiffs,

v.

UR M. JADDOU,

Defendant.

Case No. 2:23-cv-543

DISMISSAL ORDER

A review of the docket in this case reveals the following:

1. On October 23, 2023, Plaintiffs filed a Complaint against Ur Jaddou, the Director of the United States Citizenship and Immigration Services. Plaintiffs paid the filing fee, and each filed a Notice of Pro Se Appearance.
2. On September 3, 2024, the court ordered Plaintiffs to file proof of timely service or to show good cause for the failure to serve process on or before September 27, 2024. Plaintiffs were warned that if they “should fail to respond, the case must be dismissed under Rule 4(m).” (Doc. 4 at 2.)
3. No further filings have been received as of the date of this Order.

Federal Rule of Civil Procedure 4(m) states that “[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m). Rule 4(l)(1) requires proof of service of the summons be made to the court.

On September 3, 2024, well over ninety days after the Complaint was filed, Plaintiffs were ordered to file proof of timely service or to show good cause for the failure to serve Defendant and warned that, should they fail to respond, the case must be dismissed.

Because this case was filed over a year ago, Plaintiffs have failed to provide proof of timely service as to Defendant, and Plaintiffs have not filed a response to the September 3, 2024 Order demonstrating proof of service or good cause for the failure to timely serve Defendant, this case must be DISMISSED WITHOUT PREJUDICE under Rule 4(m).

SO ORDERED.

Dated at Burlington, in the District of Vermont, this 4th day of November, 2024.

/s/ Geoffrey W. Crawford

District Judge

United States District Court